

### REMARKS

The Office Action mailed February 8, 2007 has been carefully reviewed and the following remarks have been made in consequence thereof.

Claims 1-32 are now pending in this application. Claims 1-32 are rejected. Claims 1-22 have been amended. No new matter has been added.

In addition, and in accordance with 37 C.F.R. 1.136(a), a two month extension of time is submitted herewith to extend the due date of the response to the Office Action dated February 8, 2007, for the above-identified patent application from May 8, 2007, through and including July 8, 2007. In accordance with 37 C.F.R. 1.17(a)(2), authorization to charge a deposit account in the amount of \$450.00 to cover this extension of time request also is submitted herewith.

Applicants and the undersigned wish to express their appreciation to the Examiner for the courtesies he extended during a telephone interview that occurred on May 4, 2007. During the interview, the claims of the present invention were discussed. The Examiner and the Applicants reached an agreement regarding claim language that the Applicants believe will place the application in condition for allowance. The foregoing Amendment has been made in consequence of the Examiner Interview. Accordingly, Applicants respectfully submit that the present patent application is in condition for allowance.

The rejection of Claims 1-32 under 35 U.S.C. § 251 for having a defective oath and declaration is respectfully traversed.

The Examiner asserts at page 2 of the Office Action that the errors with respect to Claims 1 and 12, as cited in the oath and declaration filed July 10, 2006, no longer stand corrected, and thus, the errors do not support the reissue application. Accordingly, Claim 22 has been amended to delete any reference to scout scans. Specifically, Claim 22 has been amended as set forth below to include the underlined portions and delete the strikethrough portions:

22. A method for facilitating calcification scoring, said method comprising:

imaging a heart at a first phase of a cardiac cycle to obtain a first ~~seout~~ image;

imaging the heart at a second phase of the cardiac cycle to obtain a second ~~seout~~ image, wherein the second phase is different from the first phase, and wherein the first and second images are obtained at the same physical location in a single pass ~~of a single seout scan~~; [[and]]

determining a difference image using the first and second images[[.]] ; and

performing calcification scoring based on the difference.

Applicants submit that Claim 22, as amended, corrects the errors set forth in the oath and declaration filed on July 10, 2006. Specifically, Claim 22, as amended, does not include the excess limitations of “a first *scout* image,” “a second *scout* image” and “a single pass of a single *scout* scan.”

For at least the reasons set forth above, Applicants respectfully request that the Section 251 rejection be withdrawn.

The rejection of Claims 1-11 and 22-32 under 35 U.S.C. § 101 for being directed to non-statutory subject matter is respectfully traversed.

Claim 1 has been amended to recite “producing CT images of the patient’s heart based on the calcification scoring.” Accordingly, Claim 1, as amended, recites a useful, concrete, and tangible result. As such, Applicants submit that Claim 1 is directed to statutory subject matter.

Claims 2-11 depend from Claim 1. When the recitations of Claims 2-11 are considered in combination with Claim 1, Applicants submit that Claims 2-11 likewise are directed to statutory subject matter.

Claim 22 has been amended to recite “performing calcification scoring based on the difference image.” Accordingly, Claim 22, as amended, recites a useful, concrete, and tangible result. As such, Applicants submit that Claim 22 is directed to statutory subject matter.

Claims 23-32 depend from Claim 22. When the recitations of Claims 23-32 are considered in combination with Claim 22, Applicants submit that Claims 23-32 likewise are directed to statutory subject matter.

For at least the reasons set forth above, Applicants respectfully request that the Section 101 rejection of Claims 1-11 and 22-32 be withdrawn.

In view of the foregoing amendment and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Robert B. Reeser, III', is written over a horizontal line.

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